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## **NOTICE TO BIDDERS**

Sealed written proposals are invited by the CITY OF SAN JOSE for:

### **TIER II - SAN JOSE VARIOUS STREETS RESURFACING AND REHABILITATION PROJECT FEDERAL PROJECT NO. ESPL- 5005 (099)**

In accordance with and as described and provided in the Plans and Specifications thereof and the proposed form of contract thereof, all of which are on file in the office of the Director of Transportation and the City Clerk of the City, and which are made a part hereof.

#### **PLANS AND SPECIFICATIONS**

Plans and Specifications may be purchased and picked up at the City of San Jose's Mabury Corporation Yard located at 1404 Mabury Road, Dispatch Office, 2nd floor of main building, San Jose, 95133 at a non-refundable charge of Sixty Dollars (\$60.00) per set. Bidders requesting that sets be mailed or shipped to them will be charged the full cost of shipping. Additional full or partial sets can be purchased for the full cost from the location listed above. Addenda (if any) will be provided free of charge to all registered plan holders, and to various builders exchange locations. Please make checks payable to The City of San Jose.

Bidders will have fully inspected the project site in all particulars and become thoroughly familiar with the terms and conditions of the Plans, Specifications and other contract documents and local conditions affecting the performance and/or costs of the work prior to submitting their bid proposal. The UDBE Contract goal is 16% percent.

#### **FILING OF BIDS**

All proposals must be filed with the City Clerk of the City of San Jose, City Hall, 200 E. Santa Clara Street, Wing, 2nd Floor, San Jose, CA 95113, on or before 3:00 p.m. **Thursday, February 18, 2010** as set forth in the specifications. The City Clerk will publicly open and declare the aggregate bid of each bidder, at his/her office at 3:00 p.m.

Each bid must be accompanied by cash, a certified check, a cashier's check or a bidder's bond in the sum of not less than 10% of the total aggregate of the bid including all add alternates. Checks shall be made payable to the order of the City of San Jose. Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the City of San Jose as beneficiary. All bids must be addressed to the City Clerk, City of San Jose and shall bear the title or name of the work to be constructed.

#### **PRE-BID MEETING**

A pre-bid meeting for this project will be held on **Wednesday, February 10, 2010** at 2:00 pm at the City of San Jose's Mabury Corporation Yard located at 1404 Mabury Road, 2nd floor of main building, San Jose, 95133. Attendance at the pre-bid meeting is not mandatory.

### **DEPOSIT OF SECURITIES IN LIEU OF RETENTION**

Pursuant to the terms and conditions set forth in Public Contracts Code Section 22300, the contractor may substitute certain securities for any money withheld by City as retention to ensure contractor's performance under the contract. Such substitution of securities in lieu of retention shall be at the contractor's request and at contractor's sole expense. The securities shall be in an amount equivalent to the retention to be released.

### **WAGES RATES**

Attention is called to the fact that both federal (Davis-Bacon) and State of California Prevailing Wage rate requirements apply to this project. Not less than the greater of the federal Davis-Bacon wage rates or the General Prevailing Rate of Per Diem Wages and the General Prevailing Rates for holiday and overtime work must be paid on this project. Copies of the Prevailing Rate of Per Diem Wages are on file with the City of San Jose's Office of Equality Assurance, 200 East Santa Clara Street, 5th Floor, San Jose CA 95113, 408-535-8430 and can be obtained by interested bidders from that Office. Davis-Bacon wage rates are included in the Specifications. All questions regarding prevailing wage should be directed to the City of San Jose's Office of Equality Assurance at 408-535-8430.

### **CONTRACTOR'S LICENSE REQUIREMENTS**

All prospective bidders are hereby cautioned that the Contractor's State License Law regulates contractor licensing matters. The Contractor, in its bid proposal, shall be required to disclose its license type, number, and expiration date. Bidders must have a California contractor's license, classification "A" to bid this project.

### **NONDISCRIMINATION/NONPREFERENTIAL TREATMENT**

The Nondiscrimination/Nonpreferential Treatment requirements of Chapter 4.08 of the San Jose Municipal Code apply to this project.

### **BOND REQUIREMENTS**

Bidder's attention is directed to those provisions of the Specifications which require the contractor to whom the contract for the work is awarded, to file with the City Clerk at the time the contract is executed, a Contractor's Payment Bond and a Bond for Faithful Performance meeting all the requirements of the Specifications and approved by the City Attorney of the City of San Jose. Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the City of San Jose as beneficiary. The Contractor's Faithful Performance Bond shall be for 100% of the contract price. The Contractor's Payment Bond shall be for 100% of the contract price.

### **FEDERAL GRANT REQUIREMENTS**

This project is partially funded by Federal Grants. It is subject to Federal Grant requirements and the "Buy America" provisions of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Efficiency Act of 1991.

By order of the Council of the City of San Jose.

DATED: \_\_\_\_\_

CITY OF SAN JOSE  
A Municipal Corporation of the State of  
California

By \_\_\_\_\_  
CITY CLERK